

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

Case No. 5:17-cv-00259-BO

VOIT TECHNOLOGIES, LLC,	)
	)
Plaintiff,	)
	)
vs.	)
	)
DEL-TON, INC.,	)
	)
Defendant.	)

**VOIT TECHNOLOGIES, LLC’S MOTION TO DISMISS DEL-TON, INC.’S  
COUNTERCLAIMS PURSUANT TO FED.R.CIV.P. 12(b)(6)**

VOIT Technolgoies, LLC (“VOIT”), pursuant to Federal Rule of Civil Procedure 12(b)(6), files this Motion to Dismiss DEL-TON, Inc.’s (“DEL-TON”) Counterclaims (“Motion”). Pursuant to Local Civil Rule 7.1, a Memorandum in Support of this Motion (“Memorandum in Support”) is filed contemporaneously herewith.

WHEREFORE, for the reasons set forth in this Motion and the Memorandum in Support, VOIT respectfully requests that the Court issue an order dismissing DEL-TON’s Counterclaims, denying DEL-TON’s Motion for Bond as moot, and issuing VOIT all other just and equitable relief that the Court deems appropriate.

Dated: August 28, 2017.

Respectfully submitted,

/s/ David F. Tamaroff

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**CERTIFICATE OF SERVICE**

I hereby certify that, on August 28, 2017, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF which will send notification of such filing to the following:

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